

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CIVIL CASE NO. 3:05cv283

JOHN F. SIMONTACCHI,)
)
Plaintiff,)
)
vs.) JUDGMENT
)
INVENSYS, INC.,)
)
Defendants.)
)

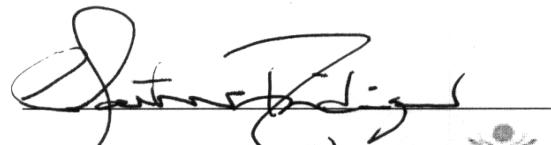
This matter is before the Court after review of the ERISA record and after conducting as trial without a jury as to the remaining non-ERISA claims. For the reasons set forth in the Memorandum and Decision filed herewith as to the non-ERISA claims and for the reasons set forth in the Memorandum and Decision as to ERISA Claim which is also filed herewith,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that **JUDGMENT** in the amount of seven thousand nine hundred thirty-four dollars and sixty cents (\$7,934.60) is hereby **ENTERED** in favor of the Defendant Invensys, Inc. against the Plaintiff John F. Simontacchi together with interest from the date of Plaintiff's breach.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that as to the Plaintiff's claim for long term disability benefits pursuant to ERISA that **JUDGMENT** is hereby entered in favor of the Defendant and against the Plaintiff, and the determination that the Plaintiff is entitled to no additional long term disability benefits is **AFFIRMED**.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that as to all other matters the Partial Judgment of this Court entered January 11, 2008, is confirmed in all respects.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party shall bear his/its own costs.



Martin Reidinger
United States District Judge



Signed: February 19, 2009